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5                                   **ORDINANCE NO. ORD 22-12**  
6   **AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS AMENDING**  
7   **CHAPTER 15.04 SECTION 210 AND ADDING SECTION 230 OF THE MONO COUNTY**  
8   **CODE SETTING FORTH PROCEDURES FOR EXPEDITING PERMIT PROCESSING**  
9   **FOR ELECTRIC VEHICLE CHARGING STATIONS**

10           **WHEREAS**, the State of California and the County of Mono has consistently promoted  
11 and encouraged the use of fuel-efficient electric vehicles; and

12           **WHEREAS**, the State of California adopted Assembly Bill 1236, which requires local  
13 agencies to adopt an ordinance that creates an expedited and streamlined permitting process  
14 for electric vehicle charging stations (EVCS); and

15           **WHEREAS**, creation of an expedited, streamlined permitting process for EVCS would  
16 facilitate convenient charging of electric vehicles and help reduce Mono County's reliance on  
17 environmentally damaging fossil fuels; and

18           **WHEREAS**, this ordinance shall be consistent with Mono County's Resource  
19 Efficiency Plan (REP) and Regional Transportation Plan (RTP); and

20           **WHEREAS**, Assembly Bill 1236 requires Mono County to administratively approve an  
21 application for EVCS through the issuance of a building permit or similar nondiscretionary  
22 permit and limits the review of EVCS applications to health and safety requirements of local,  
23 state, and federal law; and

24           **WHEREAS**, Mono County's fire protection districts have been consulted with regard  
25 to this ordinance as required by section (g)(1) of Assembly Bill 1236.

26           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
27 **MONO ORDAINS** as follows:

28           **SECTION 1. TITLE AND AUTHORITY**

This Ordinance shall be known as the County of Mono Electric Vehicle Charging Station  
Permit Expediting Ordinance. The section is enacted pursuant to Government Code section  
65850.7 as established by Assembly Bill 1236.

1           **SECTION 2.** Chapter 15.04 of the County of Mono County Code is hereby amended  
2 by renumbering existing Section 15.04.210 to be Section 15.04.300, and adding a new Section  
3 15.04.210, as shown in the Attached Exhibit A. No other changes to the County of Mono  
4 County Code are proposed hereby.

5           **SECTION 3.** If any section, subsection, sentence, clause, or phrase of this Ordinance is  
6 for any reason held to be invalid or unconstitutional by a decision of any court of any  
7 competent jurisdiction, such decision shall not affect the validity of the remaining portions of  
8 this Ordinance. The Mono County Board of Supervisors hereby declares that it would have  
9 passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase  
10 not declared invalid or unconstitutional without regard to whether any portion of the  
11 Ordinance would be subsequently declared invalid or unconstitutional.

12           **SECTION 4.** The adoption of the proposed ordinance is exempt from review under  
13 the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15061(b)(3)  
14 (Common Sense Exemption) because it can be seen with certainty that the implementation of  
15 the ordinance will not have a significant environmental effect in that the ordinance is  
16 required by state law and facilities construction of small structures that will help the state  
17 meet its greenhouse gas emission reduction targets, and none of the circumstances in the  
18 CEQA Guidelines Section 15300.2 applies.

19           **SECTION 5.** This ordinance shall become effective 30 days from the date of its  
20 adoption and final passage following a public hearing to be held pursuant to Government  
21 Code Sections 50022.2 et seq. The Clerk of the Board of Supervisors shall post this ordinance  
22 and also publish the ordinance or a summary thereof in the manner prescribed by  
23 Government Code section 25124 no later than 15 days after the date of this ordinance's  
24 adoption and final passage. If the Clerk fails to so publish this ordinance or a summary  
25 thereof within said 15 day-period, then the ordinance shall not take effect until 30 days after  
26 the date of publication.

27           **PASSED, APPROVED and ADOPTED** this 8th day of November 2022, by the  
28 following vote, to wit:

AYES: Supervisors Corless, Duggan, Gardner, Kreitz, and Peters.

NOES: None.

ABSENT: None.

ABSTAIN: None.

*Bob Gardner*

Bob Gardner (Nov 20, 2022 17:06 PST)

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Bob Gardner, Chair  
Mono County Board of Supervisors

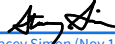
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ATTEST:



Clerk of the Board

APPROVED AS TO FORM:

  
Stacey Simpson (Nov 18, 2022 09:27 PST)

County Counsel

## EXHIBIT A: PROPOSED TEXT

Section 15.04.210 of the Mono County Ordinance Code (Penalties for Chapter 15.04 violations) is hereby renumbered as 15.04.300, and Section 15.04.210 (Electric Vehicle Charging Station Permit Expediting Ordinance) is hereby added as follows (no other changes proposed).

### 15.04.210 - Electric Vehicle Charging Station Permit Expediting Ordinance

#### A. Title and Authority.

This Ordinance shall be known as the County of Mono Electric Vehicle Charging Station Permit Expediting Ordinance. The section is enacted pursuant to Government Code section 65850.7 as established by Assembly Bill 1236.

#### B. Purpose and Intent.

The intent of this section is to create an expedited, streamlined permit process that complies with AB 1236 and Government Code section 6550.7 to achieve timely and cost-effective installation of electric vehicle charging stations. This section encourages installation of electric vehicle charging stations by removing unreasonable obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. This section allows the County to achieve these goals while protecting public health and safety.

#### C. Applicability.

1. This section applies to the permitting of electric vehicle charging stations in the unincorporated County of Mono.
2. Routine operation and maintenance shall not require a permit.
3. Electric vehicle charging systems legally established or permitted prior to the Building Official's implementation of an expedited permitting process are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electric vehicle charging station in such a way as to require new permitting.

#### D. Definitions.

1. "Electronic submittal" means the utilization of one or more of the following:
  - (a) Email.
  - (b) The Internet.
  - (c) Facsimile.
2. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on January 1, 2016, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
3. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the county on another similarly situated application in a prior successful application for a permit.
4. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards,

## EXHIBIT A: PROPOSED TEXT

policies, or conditions as they existed on the date the application was deemed complete.

### E. Electric Vehicle Charging Stations Requirements

1. All electric vehicle charging stations shall meet applicable health and safety standards and requirements of local, state, and federal law.
2. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

### F. Application Standards

1. The Building Division shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible.
2. All documents required for submission of an electric vehicle charging station application will be made available on Mono County Building Division's website.
3. The County will accept an electronic signature on all forms, applications and other documents in lieu of a wet signature by an applicant.
4. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero Emission Vehicles in California: Community Readiness Guidebook" published by the State of California's Office of Planning and Research. The Building Official may modify the checklists and standards found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.

### G. Expedited Permitting Process and Permit Review

1. A permit application that satisfies the information requirements in the County's adopted checklist shall be deemed complete and be promptly processed, as set forth in Government Code Section 65850.71(b).
2. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the County adopted checklist, and is consistent with all applicable laws, the Building Official shall, within times set forth in Government Code Section 65850.71(c) and consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or use the electric vehicle charging station until approval is granted by the County following a final inspection.
3. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
4. The Building Official may require an applicant to apply for a conditional use permit if the official makes a written finding, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official

## EXHIBIT A: PROPOSED TEXT

- may be appealed to the Mono County Planning Commission in accordance with Mono County Code.
5. The County shall not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
  6. Consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
  7. Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.
  8. This expedited permitting process is intended to apply only to applications for permits for electric vehicle charging stations and will not expedite the review of any other permit applications.